

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 907 of 1986

Date of decision: 1-10-1996

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

G S R T C

Versus

REGIONAL TRANSPORT AUTHORITY

Appearance:

None present for Petitioner
Mr. H.L. Jani for Respondent No. 1
MR HM BHAGAT for Respondent No. 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 01/10/96

ORAL JUDGEMENT

The matter was called out for hearing in the first round, second round and lastly in the third round, none appeared for the petitioner.

Heard the learned counsel for the respondents and perused the special civil application.

Respondent No.2 was granted contract carriage

permit under order dated 4-2-1985 by respondent No.1. The petitioner Corporation felt aggrieved by the aforesaid order of grant of contract carriage permit granted to respondent No.2 and preferred appeal before the State Transport Appellate Tribunal at Ahmedabad. The Appellate Tribunal, by its judgment dated 2-12-1985, dismissed the appeal.

2. I have gone through the order of the appellate authority. I do not find any illegality in the order of the appellate authority which calls for interference by this court. Whatever grounds taken by the petitioner before the Appellate Authority were considered by the Appellate Authority, although not accepted, that is a different matter. Sitting under Article 227 of the Constitution of India interference with the order of the Tribunal can be made only if there is an apparent on the face of the order or the order is perverse. That is not the case here.

3. In the result this special civil application fails and the same is dismissed. Rule discharged. No order as to costs.

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